⊗AO 245B

NNY(Rev. 10/05) Judgment in a Criminal Case

Sheet 1

	UNITED ST.	ATES DISTRICT COU	RT		
Northern		District of	New York		
UNITED STATES OF AMERICA V.		JUDGMENT IN A CRIMINAL CASE			
JONATHAN GORDON		Case Number:	DNYN107CR000015-005		
		USM Number: Thomas Marcelle, Defense 2 E-Comm Square, 3 rd Floo Albany, New York 12207 (518) 427-1720			
THE DEFENDANT:		Defendant's Attorney			
X pleaded guilty to count(s)	1 of the Indictment on Janu	uary 26, 2007.			
☐ pleaded nolo contendere to which was accepted by the ☐ was found guilty on count(court.				
after a plea of not guilty.					
The defendant is adjudicated	guilty of these offenses:				
<u>Title & Section</u> 21 U.S.C. §§ 841(a)(1),	Nature of Offense		Offense Ended Count		
841(b)(1)(A), 846, and 851.	Conspiracy to Possess and D	istribute Cocaine and Cocaine Base	1/5/07 1		
The defendant is sente with 18 U.S.C. § 3553 and the ☐ The defendant has been for	2	nrough <u>6</u> of this judgment	. The sentence is imposed in accordance		
Count(s)	is	are dismissed on the motion of t	he United States.		
It is ordered that the do or mailing address until all fin- the defendant must notify the	efendant must notify the Unite es, restitution, costs, and specia court and United States attorn	d States attorney for this district within a al assessments imposed by this judgment ey of material changes in economic circ	30 days of any change of name, residence, are fully paid. If ordered to pay restitution, umstances.		

October 13, 2008

Date of Imposition of Judgment

Frederick J. Scullin, Jr.

Senior United States District Court Judge

Case 1:07-cr-00015-FJS Document 366 Filed 10/09/08 Page 2 of 6

AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case

Sheet 2 — Imprisonment

DEFENDANT: JONATHAN GORDON
CASE NUMBER: DNYN107CR000015-005

IMPRISONMENT

	The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:
	130 Months
X	The court makes the following recommendations to the Bureau of Prisons:
	The Court recommends that the defendant be allowed to participate in the Comprehensive Residential Drug Treatment Program and be designated to a Bureau of Prisons facility as close as possible to New York City.
X	The defendant is remanded to the custody of the United States Marshal.
	The defendant shall surrender to the United States Marshal for this district:
	□ at □ a.m. □ p.m. on
	as notified by the United States Marshal.
	The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
	before 2 p.m. on
	as notified by the United States Marshal.
	as notified by the Probation or Pretrial Services Office.
	RETURN
I have	executed this judgment as follows:
	Defendant delivered on to
at _	, with a certified copy of this judgment.
	UNITED STATES MARSHAL
	p.,
	By

Case 1:07-cr-00015-FJS Document 366 Filed 10/09/08 Page 3 of 6

AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case

Sheet 3 — Supervised Release

Judgment—Page 3 of 6

DEFENDANT: JONATHAN GORDON CASE NUMBER: DNYN107CR000015-005

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

5 Years

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- X The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.
- X The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Deselect, if inapplicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement; and
- 14) the defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case

Sheet 3C — Supervised Release

Judgment—Page 4 of 6

Case 1:07-cr-00015-FJS Document 366 Filed 10/09/08 Page 4 of 6

DEFENDANT: JONATHAN GORDON CASE NUMBER: DNYN107CR000015-005

SPECIAL CONDITIONS OF SUPERVISION

- 1. The defendant shall participate in a program for substance abuse which shall include testing for drug and/or alcohol use and may include inpatient and/or outpatient treatment. The program shall be approved by the United States Probation Office.
- 2. The defendant shall submit his or her person, and any property, house, residence, vehicle, papers, computer, other electronic communications or data storage devices or media, and effects to search at any time, with or without a warrant, by any federal probation officer, or any other law enforcement officer from whom the Probation Office has requested assistance, with reasonable suspicion concerning a violation of a condition of probation or supervised release or unlawful conduct by the defendant. Any items seized may be removed to the Probation Office or to the office of their designee for a more thorough examination.
- 3. The defendant shall not associate with any member or associate of the Bloods street gang, or any other criminal street gang, in person, by mail (including e-mail), or by telephone. This shall include the wearing of colors, insignia, or obtaining tattoos or burn marks (including branding and scars) relative to these gangs.

DEFENDANT'S ACKNOWLEDGMENTOF APPLICABLE CONDITIONS OF SUPERVISION

Upon a finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

The conditions of supervision have been read to me. I fully understand the conditions and have been provided a copy of them.

Defendant	Date
U.S. Probation Officer/Designated Witness	Date

Case 1:07-cr-00015-FJS Document 366 Filed 10/09/08 Page 5 of 6

NNY(Rev. 10/05) Judgment in a Criminal Case AO 245B

Sheet 5 — Criminal Monetary Penalties

Judgment — Page	5	of	6	

DEFENDANT: JONATHAN GORDON CASE NUMBER: DNYN107CR000015-005

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

TO	ΓALS	\$	Assessment 100.00		Fine 0		Restitution 9	<u>on</u>
			on of restitution is defe	erred until	An	Amended Judgment in a	a Criminal (Case (AO 245C) will
	The defend	dant 1	nust make restitution (i	ncluding communi	ty restitution	on) to the following payees	s in the amou	ant listed below.
	If the defer the priority before the	ndant orde Unite	makes a partial payme er or percentage payme ed States is paid.	nt, each payee shall nt column below.	l receive ar However,	n approximately proportion pursuant to 18 U.S.C. § 36	ned payment, 664(i), all nor	unless specified otherwise in nfederal victims must be paid
<u>Nan</u>	ne of Payeo	<u>2</u>		<u>Total Loss*</u>		Restitution Ordered	I	Priority or Percentage
TOT	ΓALS		\$		\$_		_	
	Restitutio	n am	ount ordered pursuant t	o plea agreement	\$			
	The defenday after the delinquen	dant the da	must pay interest on res ate of the judgment, pur ad default, pursuant to	titution and a fine of suant to 18 U.S.C. § 18 U.S.C. § 3612(g	f more thar § 3612(f).).	n \$2,500, unless the restituti All of the payment options	ion or fine is p s on Sheet 6 n	paid in full before the fifteenth may be subject to penalties for
	The court	dete	rmined that the defenda	ant does not have th	e ability to	pay interest and it is orde	red that:	
	☐ the in	iteres	t requirement is waived	for the fin	e 🗌 re	estitution.		
	☐ the in	iteres	t requirement for the	☐ fine ☐ □	restitution	is modified as follows:		

^{*} Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

Case 1:07-cr-00015-FJS Document 366 Filed 10/09/08 Page 6 of 6

AO 245B NNY(Rev. 10/05) Judgment in a Criminal Case

Sheet 6 — Schedule of Payments

Judgment — Page 6 of 6

DEFENDANT: JONATHAN GORDON CASE NUMBER: DNYN107CR000015-005

SCHEDULE OF PAYMENTS

Hav	ing a	assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:
A	X	In full immediately; or
В		Lump sum payment of \$ due immediately, balance due
		□ not later than, or , or in accordance with □ D, □ E, □ F, or □ G below; or
C		Payment to begin immediately (may be combined with D, E, or G below); or
D	□	Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or
E		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
F		Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
G		Special instructions regarding the payment of criminal monetary penalties:
VIC	1m 1s	the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during ment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial ibility Program, are made to Lawrence K. Baerman, Clerk, U.S. District Court, Federal Bldg., P.O. Box 7367, 100 S. Clinton Lyracuse, N.Y. 13261-7367, unless otherwise directed by the court, the probation officer, or the United States attorney. If a victime elocated, the restitution paid to the Clerk of the Court for that victim shall be sent to the Treasury, to be retrieved if and when the located. Indeed, the receive credit for all payments previously made toward any criminal monetary penalties imposed.
		nt and Several
		Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.
		The Court gives notice that this case involves other defendants who may be held jointly and severally liable for payment of all or par of the restitution ordered herein and may order such payment in the future.
	The	defendant shall pay the cost of prosecution.
	The	defendant shall pay the following court cost(s):
	The	defendant shall forfeit the defendant's interest in the following property to the United States:
Pay inte	ment	s shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal,(5) fine (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.